THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:22-cv-00150-BO

ADAM J. MAZUR,)	
DI : 476)	
Plaintiff,)	
v.)	ORDER
)	
UNITED STATES OF AMERICA)	
)	
)	
Defendant.)	

This matter is before the Court because Mr. Adam J. Mazur has sued the United States but has failed to provide sufficient summons. Therefore, plaintiff's complaint [DE 1] is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

DISCUSSION

When a plaintiff sues an agency of the United States or a United States officer sued in his or her official capacity, the plaintiff must serve process in accordance with Rule 4(i) of the Federal Rules of Civil Procedure. This includes (1) delivering a copy of the summons and complaint to the United States Attorney for the district in which the action is brought, or to an assistant United States Attorney or clerical employee designated by the United States Attorney, or by sending a copy of the documents – by registered or certified mail to the civil process clerk at the office of the United States Attorney; (2) sending a copy of the summons and complaint to the Attorney General of the United States by registered or certified mail; and (3) sending a copy of the summons and complaint by registered and certified mail to the agency or officer in question. See Fed. R. Civ. P. 4(i)(l)(2).

On April 19, 2022, plaintiff filed a complaint against the United States of America. [DE

1]. In that complaint, he moved to proceed in forma pauperis. [DE 1]. On April 25, 2022, Judge

Kimberly A. Swank granted plaintiff's motion, but notified plaintiff that his complaint failed to

include the proper summonses. [DE 4]. Judge Swank ordered the plaintiff cure this deficiency by

including summonses for the "agency or employee, the U.S. Attorney General, and the U.S.

Attorney Civil Process Clerk" within 14 days. [DE 4]. Six months later, plaintiff has not provided

the required summons.

CONCLUSION

Plaintiff has failed to provide the proper summons required by Rule 4(i) of the Federal

Rules of Civil Procedure. Therefore, plaintiff's complaint [DE 1] is DISMISSED WITHOUT

PREJUDICE for failure to prosecute.

SO ORDERED, this 29 day of November, 2022.

UNITED STATES DISTRICT JUDGE